

REMARKS/ARGUMENTS

Claims 1-21 and 23-26 are pending in this application. By this Amendment, claims 1-4, 6, 11, 14-15, 19-21, and 23-25 are amended, claim 22 is canceled without prejudice or disclaimer, and claim 26 is added. Support for the claims can be found throughout the specification, including the original claims and the drawings. Withdrawal of the rejections in view of the above amendments and the following remarks is respectfully requested.

The Office Action rejects claims 1-6 and 10-25 under 35 U.S.C. §102(b) over UK Patent Application No. 2,199,734 to Meret. Claim 22 has been canceled. The rejection is respectfully traversed in so far as it applies to the pending claims.

Independent claim 1, as amended, recites a nozzle assembly for a dishwasher having first and second racks for holding items to be washed, the nozzle assembly comprising a fixed central piece, and a first nozzle rotatably provided proximate to the first rack and rotatably coupled to the fixed central piece, wherein the first nozzle comprises first and second nozzle sections each of which is independently coupled to the fixed central piece and rotatable about a horizontal axis and sprays a washing fluid toward a first rack direction or toward a second rack direction. Independent claim 19, as amended, recites a nozzle assembly for a home appliance, the nozzle assembly comprising a nozzle that sprays washing fluid in first and second directions simultaneously or selectively. The nozzle comprises a fixed central piece with one end in fluid communication with a fluid circulating device, and another end having first and second openings, and first and second nozzle sections. Each of the first and second nozzle sections

comprises a closed end and an open end, wherein the open end of the first and second nozzle sections is independently coupled to the first and second openings of the fixed central piece and rotatable, first and second surfaces extending between the open and closed ends of each of the first and second nozzle sections, and a plurality of holes formed along one of the first surfaces and second surfaces of the first and second nozzle sections. The plurality of holes are in fluid communication with the fixed central piece through the respective open ends so as to allow washing fluid to be sprayed therethrough, and wherein the first and second nozzle sections are rotatable about a horizontal axis thereof while the fixed central piece remains stationary so as to adjust a position of the first surfaces of the first and second nozzle sections and the plurality of holes respectively formed therein.

With the claimed features of independent of independent claims 1 and 19, each of the claimed first and second nozzle sections is independently coupled to the fixed central piece and rotatable about a horizontal axis. Therefore, when each of the claimed first and second nozzle sections is directed toward a first or second direction, the nozzle assembly can spray all washing fluid supplied in the same direction. When each of the claimed first and second nozzle sections is directed in a different direction, the nozzle assembly can simultaneously spray the washing fluid supplied in each of the different directions. Thus, if the nozzle assembly is provided proximate to first and second racks, the claimed nozzle assembly can selectively control the ratio of washing fluid supplied to the first and second racks.

Meret neither discloses nor suggests all of the features recited in independent claims 1 and 19, or the respective claimed combinations of features. Rather, Meret discloses a dishwasher with a rotary spray arm having means for selectively altering spray direction. That is, referring, for example, to Figure 1, Meret discloses a dishwasher having a washing tub 5, a lower basket 6 and an upper basket 7 for supporting dishes to be washed, a water recirculating pump 8, and upper and lower rotary arm members 9, 11. Figure 2 shows nozzles 12 formed in an upper portion of upper rotary arm 11. Meret teaches that the rotary arm 11 is formed of a single, hollow body that communicates with supply pipe 15 via hole 13. Figure 3 shows a holder 18 provided surrounding the rotary arm 11. The holder 18 includes a fixed first portion 19, a hinged second portion 20, and a latching coupling means 21. Meret teaches that when a reduced number of dirty dishes are provided in only the lower basket 6, the rotary arm 11 may be inverted to spray only downward, with hole 16 communicating with supply pipe 15 and plug 17 in the hole 13. Figure 4 shows an alternate embodiment with nozzles 12 and 22 provided in both an upper and lower part of the rotary arm 11. A slider 23 is provided to provide for only upward or downward directed jets of water from rotary arm 11.

However, Meret does not disclose or suggest at least first and second nozzle sections each of which is independently coupled to the fixed central piece and rotatable about a horizontal axis, as recited in independent claim 1. With respect to independent claim 19, Meret does not disclose or suggest at least first and second nozzle sections, each comprising: a closed end and an open end, wherein the open end of the first and second nozzle sections is

Reply to Office Action of September 12, 2007

independently coupled to the first and second openings of the fixed central piece and rotatable, first and second surfaces extending between the open and closed ends of each of the first and second nozzle sections, and a plurality of holes formed along one of the first surfaces and the second surfaces of the first and second nozzle sections, wherein the plurality of holes are in fluid communication with the fixed central piece through the respective open ends so as to allow washing fluid to be sprayed therethrough, and wherein the first and second nozzle sections are rotatable about a horizontal axis thereof while the fixed central piece remains stationary so as to adjust a position of the first surface of the first and second nozzle sections and the plurality of holes therein.

Accordingly, it is respectfully submitted that independent claims 1 and 19 are not anticipated by Meret, and thus, the rejection of independent claims 1 and 19 over Meret should be withdrawn. Dependent claims 2-6, 10-18, 20-21, and 23-25, as well as added claim 26, are allowable over Meret at least for the reasons set forth above with respect to independent claims 1 and 19, from which they respectively depend, as well as for their added features.

The Office Action rejects claims 7-9 under 35 U.S.C. §103(a) over Meret in view of U.S. Patent No. 5,725,002 to Payzant. The rejection is respectfully traversed.

Dependent claims 7-9 are allowable over Meret at least for the reasons discussed above with respect to independent claim 1, from which they ultimately depend, as well as for their added features. Payzant fails to overcome the deficiencies of Meret, as it is merely cited for allegedly teaching a pair of O-rings for connecting the surfaces between the fixed central piece

Serial No. **10/721,737**

Docket No. **K-0583**

Reply to Office Action of September 12, 2007

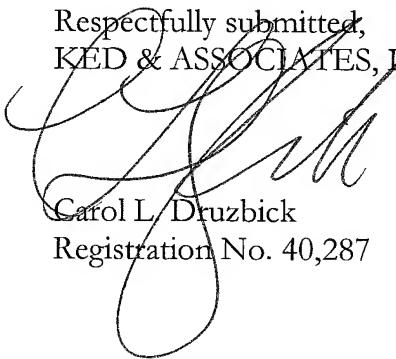
and the first and second nozzles. Accordingly, the rejection of claims 7-9 over Meret and Payzant should be withdrawn.

In view of the foregoing amendments and remarks, it is respectfully submitted that the application is in condition for allowance. Favorable consideration and prompt allowance are earnestly solicited.

If the Examiner believes that any additional changes would place the application in better condition for allowance, the Examiner is invited to contact the undersigned, at the telephone number listed below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,
KED & ASSOCIATES, LLP


Carol L. Druzick
Registration No. 40,287

P.O. Box 221200
Chantilly, Virginia 20153-1200
(703) 766-3777 CLD:HDG:lhd

Date: December 12, 2007

\\Fk4\\Documents\\2016\\2016-698\\135939.doc

Please direct all correspondence to Customer Number 34610